

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

|                                      |   |                                    |
|--------------------------------------|---|------------------------------------|
| FREDERICK COGER,                     | ) |                                    |
|                                      | ) |                                    |
| Plaintiff,                           | ) | Civil Action No. 17-1413           |
|                                      | ) |                                    |
| v.                                   | ) | Judge Cathy Bissoon                |
|                                      | ) | Magistrate Judge Cynthia Reed Eddy |
| ROBERT PATRICK, JR., <i>et al.</i> , | ) |                                    |
|                                      | ) |                                    |
| Defendants.                          | ) |                                    |

**MEMORANDUM ORDER**

This case has been referred to Magistrate Judge Cynthia Reed Eddy for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On June 4, 2018, the Magistrate Judge issued a Report (Doc. 38) recommending that Defendants' Motions to Dismiss be granted, and that Plaintiff's Motion (Doc. 24) for default judgment against Defendant Cynthia R. Johnson be denied. Service of the Report and Recommendation ("R&R") was made on the parties, and Plaintiff has filed Objections. *See* Doc. 40.

After a *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation and the Objections thereto, the following Order is entered:

Defendants' Motions to Dismiss (**Docs. 13, 16, 20, 27, 28 & 34**) are **GRANTED**. Any attempt to amend the pleadings would be futile, for the reasons described in the Magistrate Judge's R&R. Thus, Plaintiff's more recent Motion (**Doc. 42**) for leave to amend is **DENIED**, and the dismissal of this case is with prejudice. Furthermore, Plaintiff's Motion (**Doc. 24**) for default judgment against Defendant Cynthia R. Johnson is **DENIED**, for the reasons stated in

the R&R; and the same reasoning extends to Plaintiff's recently-filed request for default and default judgment (**Doc. 41**) against Cynthia R. Johnson and Barbara Miner, which likewise is **DENIED**. Finally, the Magistrate Judge's R&R (Doc. 38) hereby is adopted as the Opinion of the District Court.

IT IS SO ORDERED.

July 10, 2018

s/Cathy Bissoon  
Cathy Bissoon  
United States District Judge

cc (via First-Class, U.S. Mail):

Frederick Coger  
P.O. Box 6837  
Pittsburgh, PA 15212-0837

Joanna L. Williams  
33703 40th Ct. SW  
Federal Way, WA 98023

cc (via ECF email notification):

All Counsel of Record